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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARVIN GARCIA,
on behalf of himself and all
others similarly situated,

X Civ. No. 08-4551 (JSR) (HP)

Plaintiff,

-against-

LENDING TREE, LLC,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 7-31-08

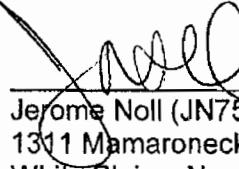
NOTICE OF RULE 41(a)(1) DISMISSAL

PLEASE TAKE NOTICE that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the plaintiff, MARVIN GARCIA, discontinues the above-entitled action and dismisses the complaint without prejudice.

Dated: July 28, 2008
White Plains, New York

MEISELMAN, DENLEA, PACKMAN,
CARTON & EBERZ P.C.

By:



Jerome Noll (JN7542)
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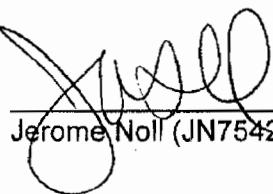
J. Marlow
7-30-08

CERTIFICATE OF SERVICE

I certify that on July 28, 2008, I caused to be served a true copy of Plaintiff's Rule 41(a) Notice of Dismissal to Defendant via e-mail and U.S. Mail upon the following counsel of record:

Danielle J. Marlow, Esq.
REED SMITH LLP
599 Lexington Avenue
New York, New York 10022

By:



Jerome Noll (JN7542)

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